

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

TAG/ICIB SERVICES, INC., as  
Agent of Dole Ocean Cargo  
Express, Inc.,

Civil No. 05-2309 (JAF)

Plaintiff,

v.

EDICIONES SANTILLANA, INC.,  
et al.,

Defendants.

**SCHEDULING ORDER**

This is a simple case of collection of monies (demurrage charges). Under Fed. R. Civ. P. 16, as amended, the court is empowered to schedule and plan the course of litigation in order to achieve a just, speedy, and inexpensive determination of this simple action. Fed. R. Civ. P. 1; Fed. R. Evid. 102. In so doing, the court advises litigants that we firmly believe in the interplay of Fed. R. Civ. P. 7, 11, 16, and 26, as amended up to December 1, 2002.

Service of process will be carried out forthwith and the same should be concluded and/or perfected by return of service of process and/or service by publication **on or before April 18, 2006**. In the event that the defendants fail to plead or otherwise defend as required by law upon expiration of the time for the filing of the responsive pleading, the plaintiff will move for the entry of default and for judgment by default or otherwise, in strict compliance with

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Fed. R. Civ. P. 55, **not later than May 12, 2006.** In the event of the filing of responsive pleadings by the defendants, the plaintiff will immediately request a status conference hearing so that counsel and the court can plan the future course of this simple litigation. Open-file discovery will be immediately provided to the appearing defendant. Said open-file discovery will include every single document which would be used at the trial of the action in order to prove the debt object of collection. A notice attesting as to the fact that open-file discovery has been provided will be filed forthwith.

In the event that a status conference is scheduled, the parties must appear prepared to discuss settlement, and with plans for the payment of the debt or other alternatives to put an end to the litigation.

**Failure on the part of the plaintiff to comply with the terms and conditions of this order will entail an immediate dismissal for lack of diligent prosecution. Fed. R. Civ. P. 41(b).**

**IT IS SO ORDERED.**

San Juan, Puerto Rico, this 23<sup>rd</sup> day of February, 2006.

S/José Antonio Fusté  
JOSE ANTONIO FUSTE  
Chief U. S. District Judge